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October 19, 2017

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: **GN Docket No. 17-258**  
**GN Docket No. 17-183**  
**Notice of Oral Ex Parte Presentation**

Dear Ms. Dortch:

On October 17, 2017, Mark Radabaugh, Jimmy Carr and the undersigned representing the Wireless Internet Service Providers Association (“WISPA”)<sup>1</sup> met with Commissioner Michael O’Rielly and his Chief of Staff, Brooke Ericson, to discuss the above-referenced proceedings.<sup>2</sup>

The WISPA representatives noted WISPA’s long-standing interest in the rulemaking proceeding that led to adoption of the initial CBRS rules in 2015 and further rules adopted in 2016. We cited the importance of the band for deploying fixed broadband service to rural and underserved areas, emphasizing the opportunities Priority Access Licenses (“PALs”) can create for investment and deployment in areas where more coverage is needed to ensure quality service to unserved and underserved areas. We also noted WISPA’s leadership in the Broadband Access Coalition, which filed a petition for rulemaking for point-to-multipoint licensing in the 3700-4200 MHz band, which is under consideration in the *Mid-Band NOI*.

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<sup>1</sup> In addition to being Board members and Committee Chairs, Messrs. Radabaugh and Carr are also owners and operators of fixed broadband access networks that serve rural Americans. Mr. Radabaugh is President of Amplex Electric, which operates a hybrid fixed wireless/fiber network in northwest Ohio, and Mr. Carr is CEO of All Points Broadband, which operates hybrid fixed wireless/fiber networks in Maryland, Virginia and West Virginia.

<sup>2</sup> *Promoting Investment in the 3550-3700 MHz Band*, GN Docket No. 17-258, FCC-CIRC1710-04 (Oct. 3, 2017) (“*Draft CBRS NPRM*”); *Expanding Flexible Use in Mid-Band Spectrum between 3.7 and 24 GHz*, Notice of Inquiry, GN Docket No. 17-183, FCC 17-104 (rel. Aug. 3, 2017) (“*Mid-Band NOI*”).



The WISPA representatives indicated support for the proposal in the *Draft CBRS NPRM* that would eliminate the rule limiting the number of PALs the Commission would make available for auction in a given census tract. We also indicated support for adoption of a rule permitting assignment of PALs where there is only a single applicant. We expressed support for proposed changes to the out-of-band emission limits. We further indicated that WISPA opposes 10-year, renewable terms, but could support PAL terms of five years with one five-year renewal term, *so long as census tracts remain as the geographic bidding unit for PALs*.

We presented and discussed the attached maps to show that licensing by census tracts will, in rural areas, enable mid-band spectrum to help bridge the digital divide that has left 23 million rural Americans without fixed broadband access. We noted that the existing licensing regime will enable spectrum to be put to its highest and best use in each census tract, encourage broad participation and competition in the auction, and let the market determine whether and where spectrum is used for fixed or mobile applications. We further noted that the existing licensing rules do not preclude CBRS spectrum from being used to provide additional mobile capacity in urban areas, but that a switch to Partial Economic Areas (“PEAs”) as the bidding unit for PALs will effectively reduce the number of bidders and preclude CBRS spectrum from being used to cover and connect unserved rural Americans, because the business model of small business serving specific geographic areas cannot support acquiring licensed spectrum in such large areas. We also explained that unserved areas preliminarily designated for Connect America Fund (“CAF”) Phase II support generally are situated along PEA boundaries, not within PEA boundaries, a circumstance that would make it more difficult for CBRS spectrum to be used for cost-effective CAF deployments.

The WISPA representatives expressed dissatisfaction with partitioning and disaggregation as a means of obtaining access to PAL spectrum in the secondary market. Historically, large carriers have been unwilling to partition spectrum, even where they are not using it. Further, we explained that establishing build-out obligations would encourage PAL holders to make minimal deployments that would block GAA use and frustrate the objective of the unique “use-it-or-share-it” model for the band established two years ago.

In sum, we pointed out that the *Draft CBRS NPRM* would undo rules the Commission unanimously adopted just two years ago. The existing rules will accelerate fixed broadband deployment to rural areas, and support many different business models, including but not limited to those of national mobile carriers. The rules proposed in the *Draft CBRS NPRM*, however, would practically foreclose access to PALs by any company other than the few large mobile wireless carriers that operate over large geographic areas.

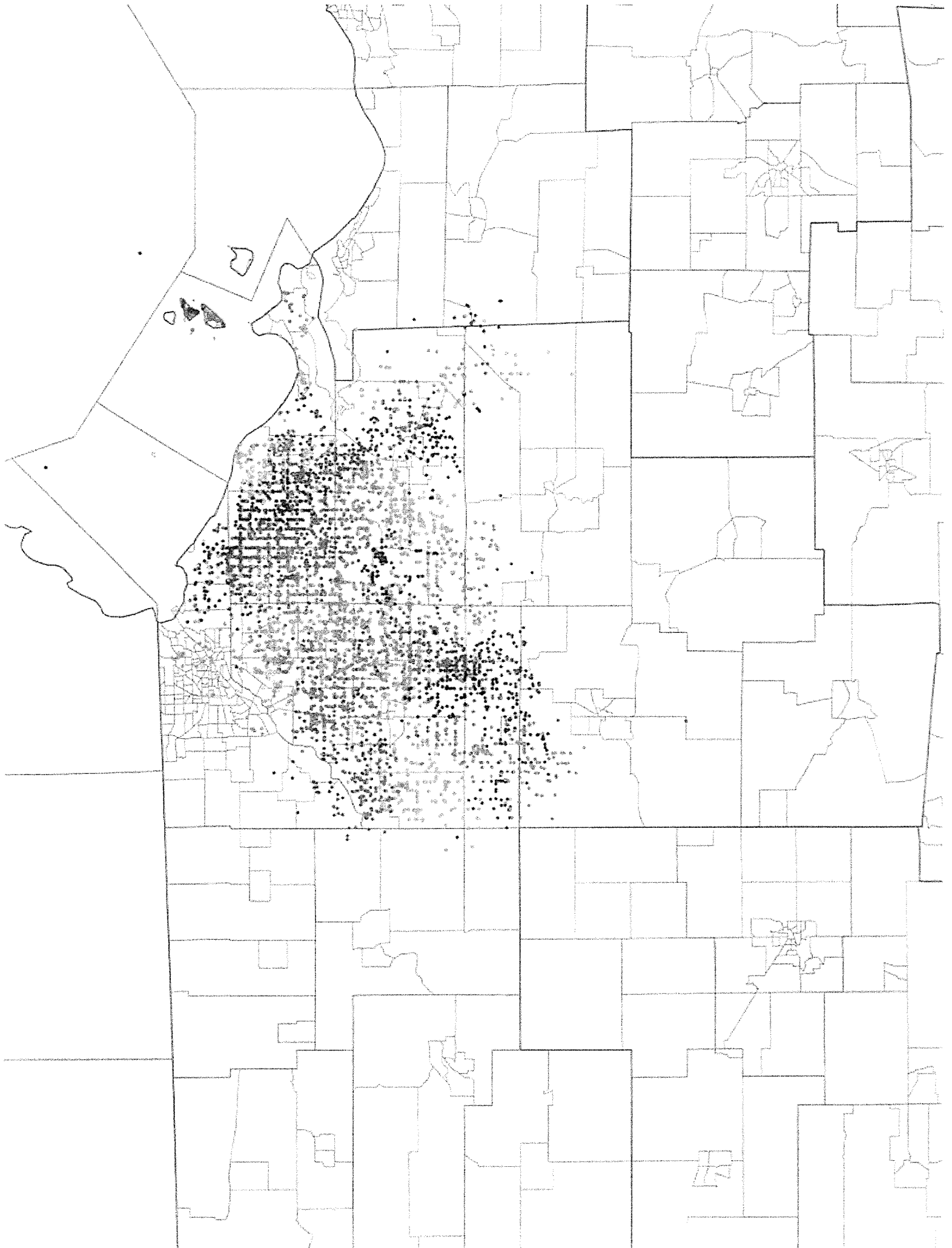
This letter is being filed electronically via the Electronic Comment Filing System in the above-captioned proceedings.

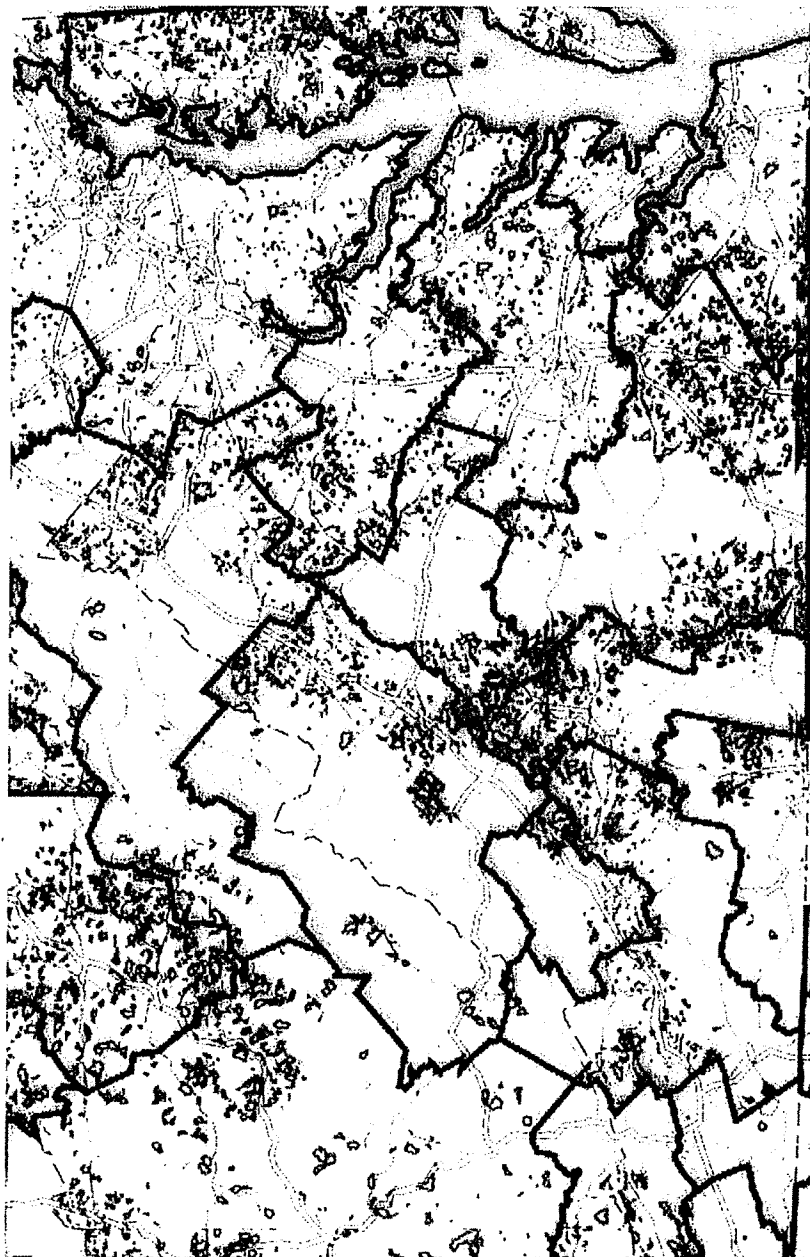
Respectfully submitted,

/s/ Stephen E. Coran  
Stephen E. Coran

Enclosures

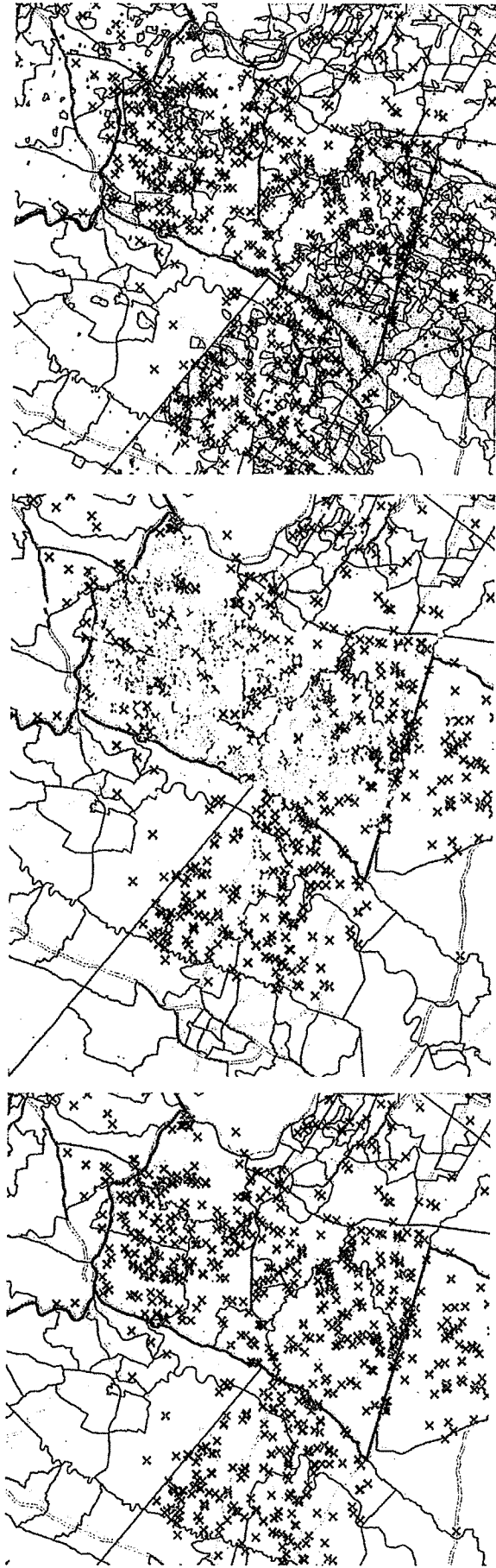
cc: Commissioner Michael O’Rielly  
Brooke Ericson





Unserved areas tend to straddle PEA boundaries

Dark blue lines:	PEA boundaries
Shading:	CAF-designated unserved area



Dark blue lines:	PEA boundaries
Light green lines:	Census tract boundaries
Yellow dot:	Installed customer / customer cluster
Red X:	Potential customer / customer cluster that requested service that cannot be connected due to lack of capacity or lack of NLOS coverage
Green shading:	CAF-designated unserved area